

1617

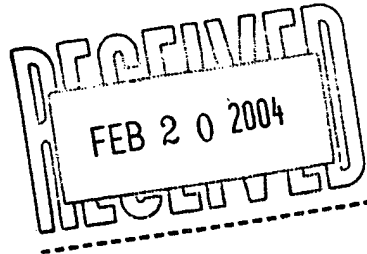
PATENT
Attorney Docket No. 69273-0012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/991,117
Applicant(s) : E. FARBER
Title : Allantoin-Containing Skin Cream
Filed : November 13, 2001
TC/A.U. : 1617
Examiner : S. Sharareh

Confirmation No. : 3442

Docket No. : 69273-0012
Customer No. : 24633



Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT & RESPONSE TRANSMITTAL

Sir:

Transmitted herewith for filing is a Response to Election of Species Requirement to the Office Action mailed August 12, 2003 in the above-identified application.

1. ☒ Small entity status under 37 C.F.R. § 1.27 is claimed for the application.
2. ☒ Applicant petitions for an extension of time, the fees for which are set forth in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Extension Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 55.00
<input type="checkbox"/> two months	\$ 210.00
<input type="checkbox"/> three months	\$ 475.00
<input type="checkbox"/> four months	\$ 740.00
<input checked="" type="checkbox"/> five months	\$1,005.00

Extension of time fee due with this request: **\$1,005.00**

If an additional extension of time is required, please consider this a Petition therefor.

☒ No additional fee is required.

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3. The claim fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY RATE	ADDITIONAL FEE
TOTAL	*	LESS	**	= 0	X \$ 9 =	\$.00
INDEPENDENT	*	LESS	***	= 0	X \$ 43 =	\$.00
TOTAL FEES						\$.00

4. Fees:

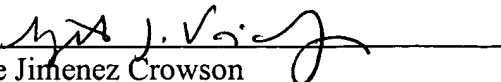
- ☒ Check No. 11357 for the amount of \$1,005.00 (including a five-month extension of time) is attached.
- ☐ Please charge my Deposit Account No. 50-1349 the amount of \$.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1349.
- ☒ Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

HOGAN & HARTSON LLP

Dated: February 10, 2004

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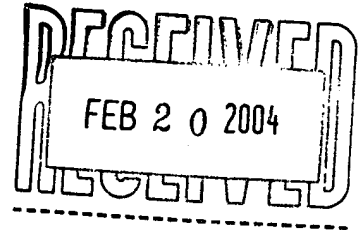


PATENT
Attorney Docket No. 69273-0012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: E. FARBER)	
)	
Application No. 09/991,117)	Examiner: S. Sharareh
)	
Filed: November 13, 2001)	Art Unit: 1617
)	
For: ALLANTOIN-CONTAINING SKIN)	Confirmation No. 3442
CREAM)	

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450



RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Office Action mailed August 12, 2003, and based on the telephone interview conducted on December 16, 2003, Applicant makes a provisional election of species and requests reconsideration of the application in view of the following remarks.

REMARKS

Claims 1-105 are pending in the above-captioned application. The Office Action asserts that this application contains at least eight patentably distinct species directed to various compositions comprising mutually exclusive emulsifying systems. The Office Action requires a provisional election, under 35 U.S.C. § 121, of one of the following emulsifying systems:

- (a) Anionic emulsifiers (claims 1-5 in-part, 17-23, 50-57 and 77-105);
- (b) Non-ionic emulsifiers that are ethoxylated ethers (claims 1-5 in-part, 6-12, 35-41 in-part and 58-66);